

REMARKS

Reconsideration of the above identified application in view of the preceding amendments and following remarks is respectfully requested. Claims 1 and 3-20 are pending. By this Amendment, Applicants have cancelled Claim 2 without prejudice and amended Claims 1, 3, 9, 11, 12, 14, and 15. The claim amendments were made to more precisely define the invention in accordance with 35 U.S.C. 112, paragraph 2. These amendments have not been necessitated by the need to distinguish the present invention from any prior art. It is respectfully submitted that no new matter has been introduced by these amendments, as support therefore is found throughout the specification and drawings.

The specification was objected to in that the title was deemed not descriptive. In response, Applicant has amended the title to be commensurate in scope with the pending claims. Withdrawal of the rejection is respectfully requested.

In the Office Action, Claims 1-9, 13, 14, and 16-20 were rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,745,038 to Callaway, Jr. et al. (Callaway). The Examiner's grounds for rejection are herewith traversed, and reconsideration is respectfully requested.

Callaway discloses a method for a wireless device in a piconet 100 having slave and master devices. Briefly, Callaway estimates the distance between master and slave devices only in accordance with RSSI (i.e., a reception level). A Power control algorithm is applied so that received RSSI values are used to determine null location. The null information is used to compute the delta f value, and the path length difference, d, to determine location of the master device (see column 6, lines 26-51). As can be seen in Figure 7, the method of Callaway requires a reflector 710 to determine the essential

path length difference according to the formula $d=(b+a)-c$. At column 8, lines 7-10,

Callaway notes that the accuracy of the resulting calculation is only fair.

In contrast, Claim 1 recites a wireless communications apparatus including reception level acquisition means for acquiring respective reception levels of wireless signals transmitted from at least one mobile terminals, transmission level acquisition means for acquiring respective transmission levels of the mobile terminals, difference value calculation means for calculating respective difference values between the transmission levels and the reception levels and relative distance estimation means for estimating a relative distance to the mobile terminal in accordance with the respective difference values. Consequently, the relative distance estimation is according to a different technique than that of Callaway, which does not disclose or suggest such a technique. As a result, the apparatus of Claim 1 can perform an estimation accurately even in the case where the mobile terminals are of different types (see page 52, lines 20-24). Accordingly, for at least this reason that the transmission level is used in the distance estimation, Claim 1 and each of the remaining claims depending therefrom distinguish the subject invention from Callaway. Therefore, withdrawal of the rejection is respectfully requested.

Regarding Claim 8, Callaway discloses switching status of a device from slave to master upon a predetermined criteria. The predetermined criteria is that the slave having the highest address becomes the next master. Callaway does not disclose or suggest reception level sorting means for sorting the reception levels acquired by the reception level acquisition means as recited in Claim 8. Thus, for this additional reason, Claim 8 is patentable from Callaway and, therefore, withdrawal of the rejection is

Regarding Claim 9, Callaway discloses mitigating multipath interference because path loss calculations can be made based on detection of the interference. Callaway does not disclose or suggest difference value sorting means for sorting difference values calculated by the difference value calculation means as recited in Claim 9. Thus, for this additional reason, Claim 9 is patentable from Callaway and, therefore, withdrawal of the rejection is respectfully requested.

In the Office Action, Claims 1-12, 15, 16, 17 and 20 were rejected under 35 U.S.C. § 103 (a) over Callaway alone or in view of U.S. Patent No. 5,963,866 to Palamara et al. (Palamara). The Examiner's grounds for rejection are herewith traversed, and reconsideration is respectfully requested.

It is respectfully submitted that Palamara does not overcome the deficiencies of Callaway, as noted above with respect to Claim 1. In particular, neither Callaway nor Palamara disclose or suggest, either alone or in combination, in whole or in part, a wireless communications apparatus including, *inter alia*, difference value calculation means for calculating respective difference values between the transmission levels and the reception levels, and relative distance estimation means for estimating a relative distance to the mobile terminal in accordance with the respective difference values. Accordingly, Claim 1 and each of the claims depending therefrom are not rendered obvious by the combination of references cited by the Examiner and withdrawal of the rejection under 35 U.S.C. §103 (a) is respectfully requested.

Further, Palamara does not overcome the deficiencies noted above with respect to Claims 8 and 9 nor are such features obvious. Thus, for this additional reason,

Serial No. 10/822,5777
Attorney Docket No. 61148 (70904)

PATENT

Claims 8 and 9 are not rendered obvious by the combination of references cited by the

Examiner and withdrawal of the rejection under 35 U.S.C. §103 (a) is respectfully requested.

Any additional fees or overpayments due as a result of filing the present paper may be applied to Deposit Account No. 04-1105. It is respectfully submitted that all of the claims now remaining in this application are in condition for allowance, and such action is earnestly solicited.

If after reviewing this amendment, the Examiner believes that a telephone interview would facilitate the resolution of any remaining matters the undersigned attorney may be contacted at the number set forth herein below.

Respectfully submitted,

Date: March 7, 2006


George N. Chaclas, Reg. No. 46,608
Edwards Angell Palmer & Dodge LLP
Attorney for Applicants
P.O. Box 55874
Boston, MA 02205
Tel: (401) 276-6653
Fax: (888) 325-1684